

New Hampshire  
State Board of Education  
Minutes of the March 20, 2013 Meeting

**AGENDA ITEM I. CALL TO ORDER**

The regular meeting of the State Board of Education was convened at 9:10 a.m. at the Department of Education. Tom Raffio presided as Chairman.

Members present: Tom Raffio, Cindy C. Chagnon, Helen G. Honorow, Gregory Odell, and James C. Schubert. Also in attendance was Paul K. Leather, Deputy Commissioner of Education. Gary W. Groleau was unable to be present. Virginia M. Barry, Commissioner of Education, was also unable to be present.

**AGENDA ITEM II. PLEDGE OF ALLEGIANCE**

James Schubert led the pledge of allegiance.

**AGENDA ITEM III. PUBLIC COMMENT**

Conditional Approval – Teacher Preparation Programs Ed 601-Ed 608, Ed 609.01(b)(1), Ed 611, Ed 613, and Ed 615 – Mary Mayo spoke on this issue. A vote is needed to adopt the conditional approval to comply with the conditional approval for rule filing 2012-124 approved by the JLCAR. The conditional approval is based on changes to the final proposal as discussed with the JLCAR at its February 15, 2013 public hearing. If we make the following changes, the Office of Legislative Services can determine we have amended the rules in accordance with the conditional approval and issue a letter to that affect. The conditional approval includes adding the language for criteria for action by the State Board, and removes the language allowing the NH Council for Teacher Education to go into nonpublic session as annotated in the document. Once reviewed by the Office of Legislative Services to determine the rules have been amended in accordance with the conditional approval and RSA 541-A:13,V(a), the Board may then adopt the final rule.

MOTION: Cindy Chagnon made the motion, seconded by Helen Honorow, that the State Board of Education approve the changes to the text of the Final Proposal Approval of Teacher Preparation Programs Ed 601-Ed 608, Ed 609.01(b)(1), Ed 611, Ed 613, and Ed 615, in response to the conditional approval agreed to by JLCAR for rule filing 2012-124.

VOTE: The motion was adopted by unanimous vote of the Board present, with the Chairman voting.

The following members of the Citizens for Manchester Schools spoke of their concerns with the Manchester School District: Jim O'Connell, Leslie Want, Kimberlee Hebert, Nick Want, and Mike Farrington. There is overcrowding, class size issues, the tax cap budget, and meeting the minimum standards. Chairman Raffio assured them that the Board takes this very seriously and what the Board's role is with the Attorney General's Office.

#### **AGENDA ITEM IV. OPEN BOARD DISCUSSION**

A. Update on Charter Schools - Chairman Raffio said that the Board is still in the same situation as last month. The Board is supportive of charter schools. Charter school funding is in the Governor's Budget and, at this time, does include dollars for charters that are in the pipeline. HB 299, if it were to pass, gives the Department flexibility on charter school applications but the Board still cannot entertain these applications until the funding situation has been resolved.

B. Update on NH Department of Education ESEA Flexibility Waiver – Deputy Commissioner Leather reported that he had been in Washington and had met with Secretary Duncan and Assistant Secretary Deb Delisle. They strongly encouraged the Department to submit the waiver shortly. The issue is that the guidance from the Secretary is that they would like to see a model teacher effectiveness program included in the waiver that includes a percentage of student growth. Our intent is to have the Waiver Approval by April so no districts will have to enter the AYP process.

C. Update on Manchester School District – Chairman Raffio said that the Board takes this very seriously. Deputy Commissioner Leather said that he had given a very extensive report at the February meeting on Manchester, including referencing the Minimum Standards. The DC reported on Manchester's performance on the NECAP for the last three years per school, including the most recent results released in February. Manchester assessment performance for all but two has either declined or stayed the same in reading and math. Manchester as a district is substantially below the state average performance and this has been the case over a three-year period. Dropout data for the last three years statewide is following a similar trend. The total number of dropouts in the State is 778 and there are 129 from Manchester this past year. In the Adequacy reporting process in the fall, the Department found four schools did not meet the opportunity for an adequate education and did not meet the criteria for conditional approval through that process. Commissioner Barry is very concerned and looking at all options for the Commissioner's recommendation as to next steps.

Mr. Odell had concerns regarding the education at the high school, especially science classes and where the Board or Department could flex their muscles. Is there a possibility to freeze funding if they are in violation of each students civil rights?

Mr. Schubert said he is concerned about the dropout rate in Manchester and that there is no PASS Program at the Manchester School of Technology.

Ms. Honorow said she appreciated the Citizens for Manchester Schools being here on behalf of the students. She said there is a feeling of urgency and this needs to move at a rapid pace by exploring all options so that the school year doesn't just go by.

Chairman Raffio said the Board wanted a zero tolerance for the dropout rate and Manchester is a huge concern.

Ms. Chagnon said that local control is involved but the state agency needs to work through the process.

Deputy Commissioner Leather said the State Dropout and Recovery Council is setting up a meeting with Karen White regarding the dropout situation.

D. Update on Unity – Judith Fillion and Jeff Blaney met with Board members. Middleton McGoodwin, Chip Baldwin, and Tim Ball, from Unity were present and spoke to the issue. Mr. Blaney reported on his recent site visit to the Unity Elementary School construction project. The district is much more involved that have been in the past. Chairman Raffio urged staff members from Unity to continue to appear before each Board meeting until this project has been completed since the current facility closes down on June 30<sup>th</sup>. Mr. McGoodwin said they are waiting for the floor to be poured. If the budget of \$350,000 does not pass at the meeting on Saturday it will impact the finalizing of the new building. Chairman Raffio said he would like the Department to continue weekly updates to him and for the district to tell the Board what happens on June 30<sup>th</sup> if the new building is not open and in compliance. Mr. McGoodwin said they would be busing children to different districts in the area. Chairman Raffio said that the construction progress is not commensurate with time passed since the last Board meeting. While the district may have become more involved in the day to day operations of the project, there appears to be little to no change in construction productivity.

E. Position Statement on International Education and Exchange – Chairman Raffio said a letter had been sent to the Congressional Delegation supporting the Senate bill. The Department will be working on developing a statement in the near future.

F. Update on Minimum Standards – Chairman Raffio said he had attended the meeting on minimum standards on March 14<sup>th</sup> and had presented a letter expressing the Board's concerns that the work should follow the Vision of the State Board and the work should significantly advance efforts in moving school districts to provide a personalized, student centered, competency based experience for every student. Chairman Raffio's letter emphasized that the purpose of public education is to prepare students to be college and career ready. Deputy Commissioner Leather said that the minimum standards are up for review. A stakeholder group meets on a regular basis. There are some controversial issues. Helen Honorow mentioned having the public hearings in different areas of the state.

## **AGENDA ITEM V. SPECIAL PRESENTATIONS**

A. Math Program Review Process and Math in Focus – Peter Warburton, Nicole Heimarck, Christine Landwehrle, and other staff members from SAU #39 were present and spoke to this issue. A power point presentation was presented regarding Planning for the Future Building a Rigorous Mathematics Experience for All. There are four Phases. In Phase 1 they drafted a vision for mathematics teaching and learning in SAU #39. They conducted a self-study to determine the areas of strength and need. The findings from this self-study promoted them in Phase 2 to look deeply at both international and local best practices. They visited three local districts to explore their structures and practices. They are currently in their first year of Phase 3. In Phase 4 they will review their progress and make shifts as needed to continue to improve student learning. A 6<sup>th</sup> grade student, Seth Facey, presented a math problem for Board members to help solve.

B. Approval of Professional Preparation Programs – Franklin Pierce University – Judith Fillion reported on this item. Those in attendance from Franklin Pierce University were Gale Cossette, Interim Director of the Graduate Teacher Education Program; Martha Ritter, Director of the Undergraduate Teacher Education Program, Lynne Rosansky, Dean of the College of Graduate and Professional Students, and Barbara Cohen, Consultant. An onsite review of the University's six Manchester postbaccalaureate programs was conducted in March 2012. Because of significant unmet standards, in September 2012, the Board required a progress report by November 30, 2012; that was later amended to December 15, 2012. On that date, the University submitted a report addressing all previously unmet standards. Considerable deliberations have taken place since the last Board discussion of the University's programs. As a result of the program review process, the institution concluded that it should withdraw from consideration for re-approval their program for Emotional and Behavioral Disabilities, and Program for Specific Learning Disabilities; and consolidate administration of their undergraduate and graduate teacher

education programs; and ensure that personalized plans for “teaching out” their discontinued programs meet the approval of the Division of Program Support. The review team found all of the program-specific standards for the retained programs, previously determined to be “approaching,” or “not met,” to be fully met. Based on the final report and in light of substantive administrative restructuring now underway, the Council for Teacher Education made the below recommendation.

**MOTION:** Cindy Chagnon made the motion, seconded by James Schubert, that the State Board of Education grant Franklin Pierce University conditional approval through August 31, 2014, for the following graduate professional educator preparation programs: Elementary Education K-8 (Ed 612.04), English Language Arts for Grades 5-12 (Ed 612.05), Social Studies for Grades 5-12 (Ed 612.28), and Special Education Programs (Ed 612.07), with a progress report due by January 2014 and a follow-up visit no later than March 2014.

**VOTE:** This was done by a roll call vote: Greg Odell – Yes; Cindy Chagnon – Yes; Tom Raffio – Yes, James Schubert – Yes; Helen Honorow – Yes.

C. Approval of New High School Equivalency Test – Art Ellison, Administrator, Bureau of Adult Education, said the existing GED test will no longer be available after December 31, 2013. The State Board needs to approve a new test that will be used by the Department to issue a New Hampshire High School Equivalency Certificate beginning January 1, 2014. Approval of a new test by the Board will provide an educational alternative to high school completion for approximately 2,500 New Hampshire residents who would take the test annually. A new high school equivalency test was needed since the GED Testing Service, formerly owned by the American Council on Education and purchased by the Pearson Corporation, decided that a new test was needed. Since the current version of the GED test had not been updated since 2002, the Pearson Corporation decided to update the test and align it with the Common Core State Standards now being introduced in most states. During the past year several other vendors including the Educational Testing Service (ETS) and McGraw Hill/CBT also developed tests tied to the Common Core State Standards. After a review process the proposal from the Educational Testing Service was selected as best meeting the needs of New Hampshire citizens.

MOTION: James Schubert made the motion, seconded by Gregory Odell, that the State Board of Education approve the High School Equivalency Test (HSET) developed by the Educational Testing Service (ETS) as the test to be used by the New Hampshire Department of Education to qualify for the issuance of the New Hampshire High School Equivalency Certificate.

VOTE: The motion was adopted by unanimous vote of the Board present, with the Chairman voting.

D. NH Teacher of the Year Program – Lori Temple said that the Commissioner selects one exceptionally skilled and dedicated teacher to serve as an ambassador for all the excellent teachers in our State. Selecting a Teacher of the Year is an exceptional way to celebrate the many outstanding and dedicated people teaching in New Hampshire schools. The purpose of the program is to select a teacher who is worthy of speaking for and energizing the teaching profession, and representing the positive contributions of all teachers statewide. Each year, New Hampshire schools take part in the State and National Teacher of the Year Program. It is the mission of the National Teacher of the Year Program to recognize and honor the contributions of the American classroom teacher. In New Hampshire, Hannaford Supermarkets is proud to partner with the Department to sponsor the Program. Hannaford not only provides funding for the program Jean-Marie Beauchemin is part of the selection process and attends the teacher of the year functions. She sends her regrets that she could not be here today. Educators are selected from any New Hampshire state-approved or accredited school, pre-kindergarten through grade twelve, if they are planning to continue in an active teaching status. The New Hampshire Teacher of the Year is Heidi Welch who is a music teacher at Hillsboro-Deering High School and the finalists are Gail Boucher, a third grade teacher at Auburn Village School, Deborah Dixon, an early intervention teacher for grades K-2 at Inter-Lakes Elementary School in Meredith, Margaret Horan, a 5/6 grade teacher at Pine Tree Elementary School in Center Conway, and Ryan O'Connor, an American Literature teacher at Windham High School. Three of the Finalists could not make it today. Margaret Horan spoke of her experiences as a fifth grade teacher at Pine Tree Elementary School. Margaret has successfully created a positive and caring environment in which her students flourish. She creates a safe family environment within the classroom, where students learn that respect is an expectation. Heidi Welch said she is very proud of being selected as NH Teacher of the Year. Not only does Heidi teach Music Instruction at Hillsboro Deering High School but she has worked very diligently to develop a robust Band, Chorus and A Capella group. She has created several courses including Guitar, American History through Music and Musical Theatre

Appreciation. As the winner of the Clearchannel Radio Station Contest for "2011 Music Teacher of the Year" she conducted the Boston Pops.

E. Sullivan School District Plan for Withdrawal from SAU #93 – Dr. Leo Corriveau, Superintendent of Schools for SAU #93, Chris Pratt, Chairman of the Study Committee, and Dr. Ken Dassau, Superintendent of Schools for SAU #91 Surrey, were present. On March 1, 2013 the Sullivan School District Withdrawal Committee submitted a plan to withdraw from SAU #93. RSA 194-C:2, IV (b) requires a planning committee that is recommending withdrawal to submit a plan for withdrawal to the Board. RSA 194-C:2, IV, (d) requires that "within 60 days, the Board shall review the proposed plan for administrative structure to determine whether or not the proposed plan complies with the requirements of this section and RSA 194-C:4." Pursuant to RSA 194-C:2, IV (e), "If in the opinion of the Board, all requirements have been met, it shall forward the plan to the school district clerk for a vote at a regular or special school district meeting." A vote to approve the plan sends the plan back to the district where the voters in the Sullivan School District will vote on its approval. Dr. Corriveau thanked Sarah Browning for all her help in getting this ready for the Board.

MOTION: Gregory Odell made the motion, seconded by Cindy Chagnon, that the State Board of Education voted to approve the Sullivan School District plan for withdrawal from SAU #93 for submission to the voters of Sullivan.

The question for submission to the voters of Sullivan is as follows:

"Shall the school district accept the provisions of RSA 194-C providing for the withdrawal from a school administrative unit involving the school districts of Sullivan and the Monadnock Regional Cooperative School District in accordance with the provisions of the proposed plan?"

Yes \_\_\_\_\_ No \_\_\_\_\_

VOTE: The motion was adopted by unanimous vote of the Board present, with the Chairman voting.

F. Student/Allenstown School Board – SB-FY-12-04-020 – The issue was relative to bullying. The parties did not attend. Board members expressed concern that the packet did not include all exhibits. A letter has been received from the student's attorney that this matter has been settled and that no hearing before the Board is necessary.

MOTION: James Schubert made the motion, seconded by Cindy Chagnon, that the State Board of Education accept the Hearing Officer's Report and adopt the Hearing Officer's Recommendation based on parties' settlement of the matter.

VOTE: The motion was adopted by unanimous vote of the Board present, with the Chairman voting.

G. Students/Con-Val School Board – SB-FY-12-01-002/SB-FY-13-01-003 – The parent and Jennifer St. Hilaire, Attorney for the District, were in attendance. Chairman Raffio asked the parties if they wanted the hearing held in public or nonpublic session. The parent elected to hold the hearing in public session. The issue was relative to transportation. Each party presented testimony.

MOTION: Cindy Chagnon made the motion, seconded by James Schubert, that the State Board of Education accept the Hearing Officer's Report and adopt the Hearing Officer's Recommendation.

VOTE: This was done by a roll call vote: Gregory Odell – Yes; Cindy Chagnon – Yes; Tom Raffio – Yes, James Schubert – Yes; Helen Honorow – Yes.

State Board members expect a report back from the Attorney in two weeks after the decision of the school board regarding these children and by taking a common sense approach.

#### **AGENDA ITEM VI. NEW DEPARTMENT BUSINESS**

There was no New Department Business at this meeting.

#### **AGENDA ITEM VII. LEGISLATIVE ISSUES**

A. Pending Receipt of Conditional Approval – Adopted Rule for Approval of Teacher Preparation Programs Ed 501-Ed 608, Ed 609.01(b)(1), Ed 611, Ed 613, and Ed 615 – Mary Mayo spoke to this rule and said a vote is needed by the Board to adopt this rule. The JLCAR reviewed the Final Proposal at their January 18, 2013 meeting and conditionally approved the rule. The Office of Legislative Services determined that the rules have been amended in accordance with the conditional approval in accordance with RSA 541-A:13, V(a). The Office of Legislative Services has determined that the Final Proposal has been amended in accordance with the conditional approval and, therefore, the Board may now adopt these rules.



MOTION: Gregory Odell made the motion, seconded by Cindy Chagnon, that the State Board of Education adopt Approval of Teacher Preparation Programs Ed 601-Ed 608, Ed 609.01(b)(1), Ed 611, Ed 613, and Ed 615 rule filing notice 2012-124.

VOTE: The motion was adopted by unanimous vote of the Board present, with the Chairman voting.

B. Final Proposal for Ed 508, Application for Certification, and Ed 509, Credential Renewal and Validity – Mary Mayo spoke to this rule and said a vote is needed by the Board to adopt this final proposal. The Department has made changes to the initial proposal in order to respond to comments from the staff attorney, who reviewed the rule for the JLCAR. These changes are necessary to respond to a petition issued by the JLCAR on November 19, 2004 and granted by the State Board on December 15, 2004 to include the addition of reference to RSA 161-B:11, VI-a in multiple sections of Ed 508 that identifies that if an applicant provides a social security number it shall be subject to this law. The Final Proposal will be submitted to the JLCAR for its review. After a public hearing and approval by the JLCAR, the Board may then adopt the final rule at its next regularly scheduled meeting.

MOTION: Cindy Chagnon made the motion, seconded by James Schubert, that the State Board of Education adopt the Final Proposal for Teacher Certification for Ed 508, Application for Certification and Ed 509, Credential Renewal and Validity.

VOTE: The motion was adopted by unanimous vote of the Board present, with the Chairman voting.

C. Final Proposal for Ed 400, Approval of Nonpublic Schools – Mary Mayo spoke to this final proposal. The Department has made changes to the final proposal in order to respond to comments from public testimony and the staff attorney, who reviewed the rule for the JLCAR. The changes include the removal of some language. We have added clarifying language to the approval types. There are formatting changes to the rules. The most significant change is to Ed 401.02, Types of Approval. We believe we have not removed any of the requirements recommended by the Nonpublic School Advisory Council, only regrouped them to more easily identify what the State Board approval categories are and other criteria for each category. The Final Proposal will be submitted to the JLCAR for its review. After a public hearing and approval by the JLCAR, The State Board may then adopt the final rule at its next regularly scheduled meeting.

MOTION: James Schubert made the motion, seconded by Gregory Odell, that the State Board of Education adopt the Final Proposal for Ed 400, Approval of Nonpublic Schools.

VOTE: The motion was adopted by unanimous vote of the Board present, with the Chairman voting.

D. Final Proposal for Ed 216, Explanation of Adopted Rules, Ed 310 Developmentally Appropriate Daily Physical Activity Program, Ed 317, Suspension and Expulsion of Pupils, and Ed 704 General Education Development Program (GED) – Mary Mayo spoke to this rule and said a vote is needed by the Board to adopt this final proposal. The Department has made changes to the Initial Proposal in order to respond to comments from public testimony and the staff attorney, who reviewed the rule for the JLCAR. The Final Proposal will be submitted to the JLCAR for its review. After a public hearing and approval by the JLCAR, the Board may then adopt the final rule at its next regularly scheduled meeting.

MOTION: Cindy Chagnon made the motion, seconded by James Schubert, that the State Board of Education adopt the Final Proposal for Ed 216, Explanation of Adopted Rules, Ed 310, Developmentally Appropriate Daily Physical Activity Program, Ed 317, Suspension and Expulsion of Pupils and Ed 704, General Education Development Program (GED).

VOTE: The motion was adopted by unanimous vote of the Board present, with the Chairman voting.

#### **AGENDA ITEM VIII. NEW BOARD BUSINESS**

- A. Priorities of State Board
- B. Education Reform

#### **AGENDA ITEM IX. COMMISSIONER'S REPORT**

Deputy Commissioner Leather reported that Rep. Mel Myler has been charged by the House Education Committee to be the Chairman of the Public Charter School House Education Study Committee on HB 243, 424, 435. The subcommittee's interest is in studying the impact and relationship of publicly funded charter schools on the public schools and particularly in those public school districts where charters are located. The study committee will begin in April and should submit its findings by October 15.

The house bills involved are HB 243 – relative to the board of trustees of a public school charter school; HB 424-FN - relative to review of chartered public schools applications by the state board of education; and HB 435-FN – relative to funding for chartered public school pupils. Chairman Raffio said that the Board will not be entertaining any new charter schools until everything has been worked out. Mr. Odell said he understood that the Commissioner reviews the charter schools before coming before the Board. Mr. Leather said there are two legislative study committees looking at charter schools that were established statutorily.

Mr. Leather reported that the Department had met with Division 2 of House Finance to discuss the budget.

Chairman Raffio said there would be no Retreat until the charter schools issue has been settled.

Mr. Leather said he had attended a Council of Chief State School Officers meeting in Washington and there was much discussion on the sequester cuts that are occurring for education funding. Title I and title set aside funds are the funds used for the flexibility waiver.

Mr. Leather said that the Department has hired Heather Gage as Chief of Staff and Director, Division of Instruction to help with assessment and accountability. The Smarter Balanced pilot is taking place and computers are required.

Deputy Commissioner Leather said that the House and Senate budget and capital budget will include renovation of career and technical centers in the White Mountains Regional School District. The bond failed in that district. They are still keeping it in the capital budget along with the renovation of the Salem career and technical center for next year. There is a different budget process for House Finance and they are not accepting some of the Governor's budget. Building aid and catastrophic aid are in question and new charter schools.

#### **AGENDA ITEM X. OLD BUSINESS**

There was no Old Business at this meeting.

**AGENDA ITEM XI. CONSENT AGENDA**

A. Minutes of February 20, 2013 Meeting

MOTION: Cindy Chagnon made the motion, seconded by Helen Honorow, to approve the Minutes of February 20, 2013.

VOTE: The motion was adopted by a 4 – 1 vote with Gregory Odell abstaining, and with the Chairman voting.

**AGENDA ITEM XII. OTHER BUSINESS**

There was no Other Business at this meeting.

**AGENDA ITEM XIII. TABLED ITEMS**

There were no Tabled Items on the agenda.

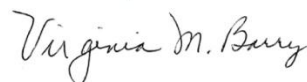
**AGENDA ITEM XIV. NONPUBLIC SESSION**

The Board did not go into Nonpublic Session at this meeting.

**AGENDA ITEM XV. ADJOURNMENT**

MOTION: Cindy Chagnon made the motion, seconded by James Schubert, to adjourn the meeting at 12:40 p.m.

VOTE: The motion was adopted by unanimous vote of the Board present, with the Chairman voting.



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Secretary